

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In re:

LIGHTNING TECHNOLOGIES, INC.,
Debtor.

Case No. 21-41019

Chapter 7

Judge Thomas J. Tucker

GROW MICHIGAN, LLC,

Plaintiff,

vs.

Adv. No. 21-4111

DAMIAN KASSAB, *et al.*,

Defendants.

**ORDER DISMISSING ALL CLAIMS AND COUNTERCLAIMS
IN THIS ADVERSARY PROCEEDING, WITHOUT PREJUDICE,
AND DENYING PLAINTIFF'S MOTION FOR REMAND AS MOOT**

This adversary proceeding came before the Court for a telephonic hearing on September 29, 2021, on two matters: (1) the Court's show cause order filed on June 28, 2021 (Docket # 19, the "Show Cause Order"); and (2) the Plaintiff's motion for remand, filed June 2, 2021 (Docket # 8, the "Remand Motion"). Confirming action taken by the Court during the hearing, and for the reasons stated by the Court on the record during the hearing,

IT IS ORDERED that:

1. All of Plaintiff's claims in this adversary proceeding (Complaint, Counts I through V)¹ are dismissed, without costs to any party, and without prejudice to the right of Plaintiff to refile such claims if, when, and to the extent, such claims are abandoned by the bankruptcy estate in the main case (Case No. 21-41019).²

¹ A copy of Plaintiff's Complaint is found at Docket # 1, Ex. 1 (Docket # 1-1, beginning at pdf page 12).

² In entering this Order, the Court is *not* making any findings or conclusions about whether or to what extent any of Plaintiff's claims are property of the bankruptcy estate.

2. All of the counterclaims filed by the Defendants³ are dismissed, without costs to any party, and without prejudice.
3. Plaintiff's Remand Motion is denied, as moot.
4. The entry of this Order concludes this adversary proceeding, which now will be closed.

Signed on September 29, 2021



/s/ Thomas J. Tucker

Thomas J. Tucker
United States Bankruptcy Judge

³ A copy of the Defendants' counterclaims are found at Docket # 1, Ex. 6 (Docket # 1-6, beginning at pdf pages 2 and 36).